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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Amnesty International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Algeria must uphold the highest human rights standards and cooperate with the Human Rights Council

As a member of the UN Human Rights Council, Algeria has pledged to cooperate with regional and international human rights bodies and experts and to continue efforts to cooperate with civil society organizations.[1] Algeria joined the Human Rights Council in January 2014, yet UN human rights experts and international human rights nongovernmental organizations are still denied access to the country. It remains the only country in the Maghreb that generally restricts access of human rights organizations to its territory.

The Algerian authorities have not agreed to visits by many UN human rights experts, including the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of human rights while countering terrorism, and the Special Rapporteur on the rights to freedom of peaceful assembly and of association, despite their repeated requests.[2] Algeria has agreed in principle to a visit by the Working Group on Enforced or Involuntary Disappearances but has not actually allowed the Working Group to visit. Algeria as a member of the Human Rights Council is required to fully cooperate with the Council, including its Special Procedures.[3]

Likewise, Amnesty International has not been allowed to visit Algeria for fact-finding purposes since 2005. Algeria should uphold the values of the United Nations Human Rights Council by allowing international human rights nongovernmental organizations to visit the country.

In addition, Algerian authorities have violated in many ways the right to freedom of association and related human rights standards including, but not limited to, the Declaration on Human Rights Defenders, by preventing Algerian human rights organizations from operating freely. As a member of the Human Rights Council, Algeria is expected to "uphold the highest standards in the promotion and protection of human rights" under UN General Assembly Resolution 60/251. The highly restrictive new law on associations adopted by Algeria in 2012 is not consistent with that obligation.

Law No. 12-06 forbids associations from receiving any foreign funding or cooperating with or seeking membership in foreign organizations without the government's agreement.[4] The law also requires all associations already registered under the previous law to submit organizational bylaws that comply with law No. 12-06 by 15 January 2014. All existing associations not successfully registered under the new law can be considered illegal by the authorities, which thereby exposes their members to penalties of up to 6 months in prison and a 300,000 Algerian dinar (€2,800/ US$3,800) fine.

Amnesty International urges the Human Rights Council, its members and observer states to call on the Algerian authorities to:

[1] A/68/153 of 17 July 2013, paras.
[2] http://www.ohchr.org/EN/HRBodies/SP/Pages/countryvisitsa-e.aspx. Viewed on 4 September 2014
[3] General Assembly resolution A/RES/60/251, operative paragraph 9.
[4] http://www.joradp.dz/FTP/JO-FRANCAIS/2012/F2012002.pdf. Viewed on 4 September 2014

- cooperate fully with the Human Rights Council, including its Special Procedures, in particular by promptly facilitating their requests to visit, by issuing and honoring a standing invitation to the Special Procedures,[5] and by acting promptly on the Special Procedures' recommendations and communications;
- repeal those articles of Law No. 12-06 on associations that violate freedom of association and prevent Algerian organizations from cooperating with and belonging to organizations based in other countries;
- ensure in all circumstances that human rights defenders and all activists in Algeria can fully exercise their rights to freedom of expression, association and peaceful assembly without fear of harassment or interference; and
- allow visits to Algeria by representatives of international human rights organizations, including through granting the necessary visas.

[5] For information about a standing invitation see: http://www.ohchr.org/EN/HRBodies/SP/Pages/Invitations.aspx. Viewed on 4 September 2014